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C O N F I D E N T I A L CARACAS 002130

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E.O. 12958: DECL: 05/27/2014

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SUBJECT: MAYOR CAPRILES FORMALLY CHARGED IN CUBAN EMBASSY
SIEGE

CLASSIFIED BY: ACTING POLITICAL COUNSELOR MARK WELL FOR REASONS 1.4 (D)

SUMMARY

1. (C) ON JUNE 25, PRO-GOV PROSECUTOR DANILO ANDERSON FILED FORMAL CHARGES AGAINST FORMER MAYOR OF BARUTA MUNICIPALITY HENRIQUE RODONSKI CAPRILES FOR HIS ALLEGED ROLE IN THE APRIL 12, 2002 SIEGE OF THE CUBAN EMBASSY IN CARACAS. CAPRILES CONTINUES TO BE DETAINED WITHOUT BAIL. THIS CASE IS AN EXAMPLE OF POLITICAL PERSECUTION VIA THE JUDICIAL SYSTEM. END SUMMARY.

PRESENTATION OF CHARGES

2. (U) ON JUNE 25, PRO-GOV PROSECUTOR DANILO ANDERSON FORMALLY PRESENTED CHARGES AGAINST FORMER BARUTA MAYOR HENRIQUE CAPRILES RODONSKI. THE SIX CHARGES PRESENTED AGAINST CAPRILES, INCLUDING VIOLATION OF THE VIENNA CONVENTION, ALL RELATE TO THE APRIL 12, 2002 SIEGE AGAINST THE CUBAN EMBASSY IN CARACAS. FOLLOWING THE PRESENTATION OF CHARGES, THE JUDGE PRESIDING OVER THE CASE GRANTED THE PROSECUTION'S REQUEST THAT CAPRILES BE DETAINED WITHOUT BAIL FOR THE DURATION OF THE CASE. CAPRILES' LAWYER IS SEEKING TO HAVE THE JUDGE'S ORDER REDUCED TO HOUSE ARREST INSTEAD OF DETENTION AT DISIP HEADQUARTERS. CAPRILES WAS TAKEN INTO CUSTODY ON MAY 11.

CLAIMS OF CORRUPTION

3. (U) CAPRILES' LAWYER, JUAN MARTIN ECHEVERRIA, ATTACKED THE PROSECUTION'S CASE, NOTING THAT ANDERSON HAD INTENTIONALLY LEFT OUT SOME EVIDENCE. FOR EXAMPLE, THE CASE FILE INCLUDES A DOCUMENTARY PRODUCED BY THE CUBAN GOVERNMENT CONCERNING THE EVENTS AT THE EMBASSY, BUT EXCLUDES WELL-KNOWN VENEVISION FOOTAGE SHOWING CAPRILES INSIDE THE EMBASSY CALMLY DISCUSSING THE WELL BEING OF THE STAFF WITH THE CUBAN AMBASSADOR.

4. (C) ECHEVERRIA TOLD POLOFF JUNE 28 THAT JUDGE MARIA TERESA GOMEZ NIEVES, INITIALLY APPOINTED TO PRESIDE OVER CAPRILES, CASE, HAD OFFERED TO DISMISS ALL CHARGES FOR A BRIBE OF \$100,000. ACCORDING TO ECHEVERRIA, SHORTLY AFTER HE REFUSED TO PAY THE BRIBE, GOMEZ NIEVES DISMISSED HERSELF FROM THE CASE AND WAS REPLACED BY CHAVEZ LOYALIST, REGINO COVA.

COMMENT

5. (C) THE CAPRILES CASE CONTINUES TO BE RUN BY POLITICS. WE HAVE HEARD SPECULATION THAT SOME CHAVEZ ARE SEEKING REVENGE AGAINST CAPRILES FOR ACTIONS HE TOOK AGAINST THE GOV IN APRIL 2002. IT IS ALSO NOT A COINCIDENCE THAT CAPRILES IS A MEMBER OF THE PRIMERO JUSTICIA PARTY, WHICH IS POSITIONING ITSELF FOR FUTURE LEADERSHIP AND ENJOYING SOME SUPPORT IN THE POLLS. IN ANY EVENT, THE CAPRILES CASE CONTINUES TO BE VENEZUELA'S MOST HIGH PROFILE POLITICAL PRISONER. SHAPIRO

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2004CARACA02130 - CONFIDENTIAL